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IN THE MATTER OF:	:	UNITED STATES BANKRUPTCY COURT
	:	DISTRICT OF NEW JERSEY
	:	
WAYNE ANTHONY CLINE and	:	Case No. 10-48605-MBK
SIOBHAN DONEGAN CLINE,	:	Chapter 7
	:	
	:	
Debtor.	:	
	:	
WAYNE ANTHONY CLINE and	:	
SIOBHAN DONEGAN CLINE,	:	
	:	
Plaintiffs,	:	Adversary Proceeding No.
	:	11-
vs.	:	
	:	
SALLIE MAE, a/k/a SLM	:	
CORPORATION,	:	
	:	
Defendant.	:	

COMPLAINT FOR DISCHARGEABILITY OF EDUCATIONAL LOANS DUE
TO HARDSHIP PURSUANT TO 11 U.S.C. Section 523 (a)(8)

The Plaintiffs, WAYNE ANTHONY CLINE and SIOBHAN DONEGAN CLINE,
residing at 850 Sherwood Drive, Blue Ridge Virginia, by way of
Complaint say:

JURISDICTION AND VENUE

1. Jurisdiction is conferred on this Court pursuant to the
provisions of 28 U.S.C. Section 1334 in that this proceeding arises
out of and is related to the above captioned Chapter 7 Bankruptcy

Case and it concerns the dischargeability of a joint obligation of the Debtors therein which was listed on their petition and schedules.

2. This court has both personal jurisdiction as well as subject matter jurisdiction to hear this case pursuant to 28 U.S.C. Sections 157(b)(2) and 1334, and pursuant to the Order entered by the Judges of the U.S. District Court for the District of New Jersey (the Referral Order), which Order was entered in accordance with the Bankruptcy Act as amended and the Federal Judgeship Act of 1984.

3. This matter is a core proceeding and the Bankruptcy Court has the authority to enter a final order. However, if it is determined that the matter is not a core proceeding, then in that eventuality the Plaintiffs consent to the entry of a final order by the Bankruptcy Court.

VENUE

4. Venue is properly laid in the District of New Jersey pursuant to 28 U.S.C. Sec. 1391(b)(2).

BACKGROUND

5. The Plaintiffs are married parents of two dependent children, ages 7 and 10, and are co-debtors in Chapter 7 bankruptcy Case No. 10-48605-MBK, which was filed in Trenton, New Jersey on 12/14/10.

6. In the petition which was filed in the above matter, the Debtors sought to discharge \$117,426.12 in unsecured debt, including consumer credit obligations, medical expenses that they were unable to pay, as well as their obligation on a mortgage note executed by them in favor of Wells Fargo Bank NA in connection with a mortgage on their home at 4 W. Riverside Drive, Brick, N.J. At the time of the Bankruptcy filing, said property was worth about \$209,000.00; the balance due on the mortgage, which was in default, was \$241,156.65, and a foreclosure action was pending.

7. Ultimately, the debtors lost their home to foreclosure.

8. Among the obligations listed on their petition in Bankruptcy was a joint obligation for \$29,526.89 owed to Sallie Mae, a/k/a SLM Corporation. The Defendant is a Delaware Corporation whose corporate headquarters is located at 1209 Orange Street, Wilmington, Delaware. It also maintains offices at PO Box 9500, Wilkes Barre PA 18773. The Plaintiff's obligation to the Defendant is a consolidated educational loan which combined balances on educational loans taken out by both debtors to pursue post secondary education. Plaintiffs dealt with the Defendant at it's Wilkes Barre, Pennsylvania, location.

9. Neither debtor has been able to obtain enhanced employment and income as a result of their post-secondary education. Neither debtor has made any payments on their educational loans.

10. As to Debtor Wayne Anthony Cline, he took courses at a school called E.C.B.I. in Virginia, between 2001 and 2003, and obtained a degree in computer science. He was never able to obtain

employment in the computer science field.

11. As to co-debtor Siobhan Donegan Cline, she also took courses in computer technology. Although she is eligible to undergo testing for certification as a computer technician, the school she was attending, the Brick Computer Institute, has closed it's doors, so that she is unable to complete her education.

12. Co-debtor Siobhan Donegan Cline also suffers from a plethora of health problems, including clinical depression, obesity, arthritic knees, Severe obstructive sleep apnea syndrome, polycystic ovarian disease, asthma, cervical dystonia and a compromised immune system. She has undergone eight separate surgeries since 2003, and she is physically unable to work outside the home. There is no prospect for change in her condition or for the development of the capacity to earn income in her future.

13. Debtor Wayne Anthony Cline earns about \$50,000.00 per year, and supports a family of four, two of whom have health problems, on that income. He has no prospects for a significant increase in income or reduction in his living expenses in the immediate or remote future.

14. Since obtaining a discharge of their debts the debtors have already begun accumulating additional health care bills that they are unable to pay.

15. The Debtors are living at a subsistence level with their two children, and have no funds to spare with which to pay their obligation to the Defendant;

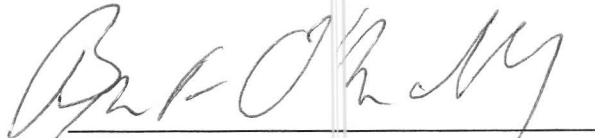
16. The debtors have no savings or other assets of value.

WHEREFORE the Plaintiffs, WAYNE ANTHONY CLINE and SIOBHAN

DONEGAN CLINE demand judgement:

A. Determining that their educational loan obligation to the Defendant is dischargeable due to hardship pursuant to 11 U.S.C. Section 523 (a) (8);

B. For such other, further relief as the court deems equitable and just .


BRIAN F. O'MALLEY, ESQUIRE
Attorney for the Plaintiffs

Dated: 8/10/11

CERTIFICATION OF VERIFICATION

We, WAYNE ANTHONY CLINE and SIOBHAN DONEGAN CLINE, of full age, hereby certify and say that:

1. We are the debtors in Chapter 7 Case number 10- and the Plaintiffs in this Adversary Proceeding. We are fully familiar with the facts and circumstances of this case.

2. We have read the foregoing Verified Complaint and we certify that all of the allegations contained in the Verified Complaint are true and accurate to the best of our personal knowledge, information and belief;

3. We know that if any of the foregoing statements made by us are wilfully false, we are subject to punishment.


WAYNE ANTHONY CLINE

Date: 8/10/11


SIOBHAN DONEGAN CLINE

Date: 8/10/11